



## Security Council

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### Report of the Secretary-General on the United Nations Mission in the Sudan

#### I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1590 (2005), in which the Council requested that it be kept regularly informed of progress in the implementation of the Comprehensive Peace Agreement in the Sudan, and resolution 1870 (2009), in which the Council requested me to develop benchmarks (see annex) for measuring and tracking progress in the implementation of the mandate of the United Nations Mission in the Sudan (UNMIS), and to include in my report an assessment of progress made against those benchmarks, as well as any consequent recommendations regarding the configuration of the Mission. The report provides an assessment of the overall situation in the country since my previous report, dated 14 July 2009 (S/2009/357), as well as an update on the activities of UNMIS up to 15 October 2009.

#### II. Security situation

2. The security situation in Southern Sudan remains unstable, particularly in Jonglei, Upper Nile and Lakes States, where as many as 54 clashes resulted in the deaths of at least 316 people during the reporting period and represented major security and human rights concerns in Southern Sudan. On 2 August 2009, inter-tribal tensions erupted when a group of Murle attacked Lou Nuer villages in Akobo County (Jonglei State); during the attack 161 people were killed and 29 were wounded. The majority of those killed were women and children. On 23 August, 66 people were killed in a cattle raid between the Luac and Dinka tribes in the area of Rumbek (Lakes State), including 15 members of the Southern Sudan Police Service and the Sudan People's Liberation Army (SPLA). In another cattle raid on 28 August, Lou Nuer tribesmen attacked a Dachuek village in Twic East County (Jonglei State), resulting in the deaths of 28 people, including seven SPLA soldiers, and the displacement of thousands of local civilians. On 4 September, suspected Shilluk tribesmen carried out an attack against a Dinka village north of Malakal (Upper Nile State), during which the entire village was burned to the ground and several people were abducted. On 18 September, approximately 1,000 Lou Nuer tribesmen from Wuror, Nyirol and Akobo Counties attacked Duk County, approximately 170 kilometres north of Bor, Jonglei State. The clashes reportedly resulted in 72 people being killed and 45 injured and the burning of 250 houses. On



3 and 4 October, Dinka and Mundari tribesmen clashed near Juba (Central Equatoria State), killing 23 people and displacing approximately 1,700.

3. In addition to the inter-tribal violence, on 2 October in Bentiu (Unity State) a clash between the SPLA soldiers guarding the Deputy Commander's compound and those guarding the headquarters of the local Governor left 18 SPLA soldiers and 3 civilians dead and 40 people wounded.

4. During the reporting period, UNMIS received reports of Lord's Resistance Army (LRA) attacks in Western Equatoria State, in particular near food distribution sites. On 12 August 2009, LRA reportedly carried out an attack on Ezo town (120 kilometres north-west of Yambio) during which 17 people were reportedly abducted. After that attack, 29 international staff members from United Nations and international non-governmental organization operations in the area were relocated, and United Nations operations were temporarily suspended.

5. Also in Southern Sudan, banditry and criminality were reported in Central and Eastern Equatoria States. On 28 August 2009, a United Nations truck was attacked near Torit (Eastern Equatoria State), without any casualties. In response to that and other incidents of banditry, the regional security management team established a policy of armed escorts for staff movement as from 31 August 2009.

6. In Southern Kordofan on 2 August 2009, the Justice and Equality Movement (JEM) and Sudanese Armed Forces reportedly clashed in Babanusa, resulting in a number of deaths and injuries on both sides. According to a representative of the Sudanese Armed Forces, they lost two soldiers in the fight and five were injured. No report was received on JEM casualty figures.

### **III. Political developments**

7. With fewer than 18 months remaining until the referendums, and with national elections scheduled for April 2010, delays in the implementation of key Comprehensive Peace Agreement benchmarks continue to be of serious concern.

8. As I noted in my report on elections in the Sudan (S/2009/391), substantial preparatory work remains to be done to ensure free, fair and credible national elections. While the National Elections Commission has completed constituency delimitation based on the census results, the National Congress Party (NCP) and the Sudan People's Liberation Movement (SPLM) continue to disagree over the use of the census results for elections. The new National Security Bill of 2009, a critical step towards a credible electoral process, has yet to be passed. In addition, the Criminal Procedures Amendment Act, signed into force on 9 July 2009, allows state governors or district commissioners to impose restrictions on campaigning by political parties.

9. In addition to the outstanding issues with respect to election preparations, NCP and SPLM have not reached final agreement on the Referendum Act, which is now 27 months behind schedule. Substantive discussions between SPLM and NCP on referendums and post-referendum arrangements are overdue.

10. In a positive development, on 22 July 2009 the Permanent Court of Arbitration at The Hague announced its decision on the Abyei boundary dispute, which both SPLM and NCP accepted fully. That decision constitutes a significant step in

Comprehensive Peace Agreement implementation and clears the way for further progress in implementing the Abyei Protocol.

11. The seventh Southern Sudan Governors' Forum was held in Juba from 10 to 15 August 2009, during which the Permanent Court of Arbitration award was discussed, together with the financial crisis, elections and referendums. Forum members were unanimous in their call for civilians in Southern Sudan to be disarmed, forcibly if necessary, by SPLM.

12. In response to an invitation from SPLM, the Chairman of the National Umma Party (NUP), Sadiq Al-Mahdi, led a high-level delegation to Juba from 3 to 6 September 2009 to discuss key national issues with SPLM. On 5 September, NUP and SPLM signed a Declaration of Principles outlining their common views on issues including democratic transformation, elections, the referendum, census results and Darfur. From 26 to 30 September 2009, approximately 20 Sudanese political opposition parties met in Juba to discuss key national issues, including the census, elections, reconciliation and development. At the conclusion of the conference, the parties stressed the importance of the Government's implementing democratic reforms ahead of the elections.

13. The tripartite mechanism, led by the Special Envoy to the Sudan of the United States of America and involving NCP and SPLM, met several times in Khartoum and Juba during the reporting period. That forum has provided an opportunity for the parties to recommit to the deadlines set out in the Comprehensive Peace Agreement, including for elections, referendums, popular consultations and border demarcation.

14. With regard to senior political appointments, on 13 August 2009, President Omer Hassan A. Al-Bashir issued a presidential decree appointing the Chief of the National Intelligence and Security Service, Lieutenant General Salah Abdallah (Gosh), as a Presidential Adviser. In June 2009, President Al-Bashir had appointed Ghazi Salah Al-Deen as Presidential Adviser, with responsibility for Darfur and the Comprehensive Peace Agreement.

## **IV. Implementation of the Comprehensive Peace Agreement**

### **Abyei and border demarcation**

15. NCP and SPLM have both accepted the decision of the Permanent Court of Arbitration on Abyei and have publicly stated their commitment to abide by and peacefully implement the decision. In this regard, the Presidency has appointed a boundary demarcation committee and reappointed the Abyei Area Administration and Council. UNMIS provided the parties with a base map and offered to provide logistical support for the demarcation process. However, the work of the Committee was significantly delayed owing to disagreements between its Northern and Southern members on the proceedings of the Committee and the way forward. The delays will not only affect the demarcation process, but also have an impact on military redeployment and the conduct of the elections and referendums. It is important to note that the decision of the Permanent Court of Arbitration placed the Higlig oilfields outside the Abyei Area. SPLM accepted that aspect of the decision, but it has since challenged the course of the 1 January 1956 border, arguing that

Higlig falls within Unity State in the South. The strategic importance of the Higlig oilfields may further complicate the border demarcation process.

16. In addition, the Misseriya leadership has expressed concerns about its future status under the Permanent Court of Arbitration decision and may refuse to cooperate with the implementation process. The Joint Integrated Unit in Abyei currently lacks the resources and support needed to secure the Abyei area and the Diffra oilfields, while the Abyei Administration is still in the process of recruiting a local police force to replace the Joint Integrated Police Unit. Financial support to the Abyei Administration is still outstanding after delays of more than one year. In a positive development, the Ministry of Finance has recently approved \$10 million from the unity fund for the construction of 21 kilometres of roads within Abyei town.

17. The end of the rainy season in October may lead to an increase in Dinka Ngok and Misseriya returns to the Abyei Area, which could lead to further disputes over land, water and other resources. The beginning of the dry season coincides with the Misseriya seasonal migration through the Road Map Area, creating additional resource demands and potential for conflict. A successful migration will help assuage Misseriya fears regarding the Abyei authorities' commitment to their grazing rights; on the other hand, significant problems or violence could dramatically harden resistance and create major new obstacles to the upcoming elections and referendums.

18. In this context, UNMIS and the United Nations Development Programme (UNDP) facilitated a Dinka-Misseriya peace conference, which was held in Abyei town on 1 July 2009. The conference adopted an 11-point resolution acknowledging the role of UNMIS in fostering inter-tribal reconciliation and laid the foundation for a continuous reconciliation process. Following the decision of the Permanent Court of Arbitration, Dinka Ngok and Misseriya leaders also met with senior NCP and SPLM leadership in Khartoum and Juba to discuss their concerns and find ways to promote peaceful coexistence.

### **Southern Kordofan and Blue Nile States**

19. In Southern Kordofan State, the parties have committed themselves to the integration of political, administrative, social, economic and security structures before 31 October 2009. A newly formed committee has been given the task of processing the integration of education workers from the former SPLM areas into the Kordofan State institutional structures. A similar committee is restructuring the State civil service. On 8 September 2009, the Governor of Southern Kordofan State dissolved the local Government and appointed new ministers, advisers and commissioners.

20. UNMIS is working closely with the recently established Reconciliation and Peaceful Coexistence Mechanism, a body composed of tribal and local government authorities, to address long-standing conflicts between the tribes in the area. A reconciliation conference was held in Southern Kordofan in August between the Angolo and Korongo Nuba tribes and was attended by 600 people representing SPLA, the Sudanese Armed Forces and native administration leaders.

21. In Blue Nile State, the process of integration of SPLM/A personnel into the National Police Service of the Government of the Sudan has been successfully

completed. At least 360 SPLA members, including 60 senior officers, have joined the police service, and 12 SPLA officers have been nominated for the National Intelligence and Security Service.

22. In consultation with the parties to the Comprehensive Peace Agreement and the assessment and evaluation commissions at the state level, UNMIS has adopted an approach in support of the popular consultations in Southern Kordofan and Blue Nile States, which are foreseen under the Comprehensive Peace Agreement to be an effective mechanism to ascertain the views of the people in transitional states on issues related to governance in their respective states. Through local experts in the field and focus groups with local communities, as well as by organizing an outreach campaign at the State level, the Mission continues to assist both parties in defining the concerns of the local population in the process of the implementation of the Comprehensive Peace Agreement, as well as establishing mechanisms to address identified shortcomings.

#### **Redeployment of Sudanese Armed Forces and SPLA forces**

23. On the basis of information provided at the 100th meeting of the Ceasefire Joint Monitoring Commission, SPLA redeployment from Blue Nile and Southern Kordofan States stood at 27.6 per cent, while Sudanese Armed Forces redeployment from the South was at 100 per cent, not including Blue Nile and Southern Kordofan States. However, in subsequent Ceasefire Joint Monitoring Commission meetings, the parties failed to agree on acceptance of SPLA figures.

#### **Joint Integrated Units**

24. Joint Integrated Unit strength is at 82.6 per cent of the mandated 39,639 troops. On 24 August 2009, at a joint meeting between the Ceasefire Joint Monitoring Commission and the Unit commanders, it was agreed that final verification of Unit strength would be conducted by 15 November 2009. UNMIS is currently conducting a quality assessment of the Joint Integrated Units and is focused on bringing levels of cohesion at the Unit and sub-Unit levels up to the required standards. In this context, UNMIS hosted a Joint Integrated Unit support coordination meeting on 1 October 2009, during which a working group on the Units was formed to take forward the assessment in close coordination with the donor community.

#### **National elections and referendums**

25. Following delays in election preparations according to the timeline announced by the National Elections Commission on 2 April 2009 (see S/2009/211), the Commission issued a revised electoral timeline in June 2009, calling for the elections to take place from 5 to 12 April 2010. The constituency delimitation process commenced in late June and all preliminary reports were submitted to the Commission by the end of July. The Commission distributed the reports to political parties at a meeting on 4 August and, on 5 August, to those, including SPLM, not present at the meeting. The Commission subsequently set 14 September as the deadline for receipt of objections to constituency delimitation. As at that date, the National Elections Commission had received over 500 objections, which it plans to review by the end of November 2009.

26. The National Elections Commission continues to have limited capacity at all levels. In addition to the nine commissioners, most of whom serve on a part-time

basis, and the Secretary-General, the Commission has 22 advisers and 40 technical and support staff at its headquarters, with additional advisers and staff still to be hired. The Southern Sudan High Committee in Juba currently employs five members, but has as yet received no clear instructions regarding the hiring of additional staff. The 25 State High Committees consist of five members and one returning officer each, and are in the early stages of hiring additional support and clerical staff.

27. The absence of an operational plan and a corresponding budget for the elections remains a significant challenge to election preparations. While 76 political parties, including NCP, which formally endorsed President Al-Bashir during the reporting period, have now registered with the Political Parties Affairs Council to take part in elections, the registration of internally displaced persons continues to be an important issue. As at 21 September, the National Elections Commission had finalized the voter registration plan for the upcoming registration exercise, which is due to commence on 1 November 2009.

28. As at 31 August, the Political Parties Affairs Council had registered 76 political parties, with as many as 20 applications pending. The Council has indicated that it will continue to receive and consider applications for registration up to and beyond the elections. UNMIS has urged the Council to establish, in consultation with the National Elections Commission, a clear deadline by which parties wishing to contest the 2010 elections would need to submit their applications for registration.

29. UNMIS continues to build its electoral assistance capacity, with approximately 93 per cent of the Mission's electoral assistance staff for the period 2008-2009 now having been recruited. Further details regarding specific preparations with respect to the police are discussed later in the present report (see para. 48). Regarding possible elections in Darfur, the African Union-United Nations Hybrid Operation in Darfur (UNAMID) is supporting UNMIS work in Darfur under the terms of a memorandum of understanding between the two missions, principally through the provision of logistical support. The many challenges to holding credible elections in Darfur — foremost the political impediments to free and fair elections — will require substantial efforts by all stakeholders in the coming months.

30. Regarding election monitoring, several processes have been initiated. The Carter Center recently signed an agreement with the National Elections Commission setting out a common understanding of its observation activities. In addition, the European Union will send an assessment mission to the Sudan before the end of 2009 with a view to potentially providing a full European Union election observation mission in April 2010. The African Union is also planning to send a pre-election assessment team to the Sudan late in September in advance of an election observation mission. The National Democratic Institute for International Affairs has received funding from the United States Agency for International Development for election observation work and recently announced the formation of the Sudanese Network for Democratic Elections. In Darfur, UNMIS is working with the State High Committees to encourage local civil society organizations to observe the elections.

31. Regarding referendum preparations, on 9 July 2009 the Government of Southern Sudan, through the Ministry of the Presidency, requested United Nations assistance in connection with planning and administration, donor assistance, the preparation of voter lists, civil and public information and the monitoring of the

referendums. In order to address those issues, UNMIS is in the process of establishing a seven-person team to cover referendum preparations in the lead-up to January 2011.

#### **Wealth- and power-sharing**

32. According to a half-yearly report by the Petroleum Unit of the Ministry of Finance and Economic Planning of the Government of Southern Sudan, the total oil revenues of the Sudan for the period from January to June 2009 were \$787.01 million, of which the shares of the Government of National Unity and the Government of Southern Sudan stood at \$422.15 million and \$364.86 million, respectively. In August 2009, the Government of National Unity paid back approximately \$52 million to the Government of Southern Sudan that it had deducted unilaterally for the national election process over the latter's objection. All revenue arrears owed to the Government of Southern Sudan for the first half of the current year have also been settled. The 2 per cent share allotted to local Dinka Ngok and Misseriya, in accordance with the Abyei Protocol, continued to be transferred to separate accounts under the Abyei Area Administration and the Government of Southern Kordofan State, and in August 2009 the Ministry of Finance released 20 million Sudanese pounds to the Dinka Ngok.

33. In an agreement signed on 19 August 2009, parties to the Comprehensive Peace Agreement agreed to ask the Government of National Unity to request the International Monetary Fund to review the implementation of the two banking systems under the Central Bank. However, as at 1 October 2009, no request had been made. Furthermore, the National Land Commission has not been established, although the Bill relating to it was adopted in the National Assembly in April 2009.

34. The National Civil Service Commission mandated under the Comprehensive Peace Agreement, which was established to ensure adequate representation of the South in the National Civil Service, announced that only 1,000 positions in the Government of National Unity had been filled by southerners. That is approximately half of what is mandated under the Agreement.

## **V. Implementation of other peace agreements**

#### **The Darfur peace process**

35. The work of the mediation during the reporting period was directed at consultations with a broad range of stakeholders to prepare for the resumption of talks in Doha at the end of October, as well as supporting the unification efforts of the rebel groups in the Libyan Arab Jamahiriya and Ethiopia. On 7 September 2009, the African Union-United Nations Joint Chief Mediator, Djibrill Bassolé, and the Minister of State for Foreign Affairs of Qatar, Ahmed Bin Abdullah Al-Mahmoud, issued a joint statement welcoming the Libyan-led effort to unify the Tripoli Group and the United States-led unification of various SLA factions in Addis Ababa, as well as expressing their hope that the rebel groups would reach a common platform ahead of the next round of talks in Doha. On 16 September, the Tripoli Group issued a statement indicating that it would unify as the Sudan Liberation Revolutionary Forces in order to negotiate from a common platform in Doha. However, as at 25 September 2009, issues related to the leadership of the group had caused several elements to leave Tripoli. In further preparation for the next round of talks, on

24 September the Government of Qatar convened a ministerial-level meeting of the Steering Committee of the League of Arab States and the African Union in the margins of the General Assembly to discuss the Darfur peace process, including reunification efforts by the rebels, and the upcoming elections in the Sudan. The meeting issued a communiqué expressing support for the mediation on 24 September 2009. The next round of talks in Doha is currently scheduled for the end of October 2009.

#### **Eastern Sudan Peace Agreement**

36. The political and security situation in Eastern Sudan remains calm. After nearly 10 months, the High Joint Committee, tasked with monitoring the implementation of the Eastern Sudan Peace Agreement, held its sixth meeting on 11 August 2009, focused on funding and the work of the Eastern Sudan Reconstruction and Development Fund. While the Eastern Sudan Peace Agreement stipulates that the Government of National Unity shall allocate an amount equivalent to \$100 million as seed money for the Eastern Sudan Reconstruction and Development Fund and an amount of not less than \$125 million per annum for four years (2008 to 2011), only \$85 million was actually transferred to the Fund and disbursed equally to all three eastern states for recovery and development projects relating to education, water and health.

## **VI. Implementation of the mandate of the United Nations Mission in the Sudan**

37. The present section contains information on the implementation of the mandate of UNMIS and progress made towards the benchmarks set out in the annex.

#### **Good offices, conflict management, reconciliation and peacebuilding**

38. Throughout the reporting period, my Special Representative maintained a constant dialogue with the Sudanese political leadership and key Sudanese and international stakeholders in the peace process.

39. On 22 July 2009, in anticipation of the Permanent Court of Arbitration decision on Abyei, my Special Representative met with the Ministers for Foreign Affairs and the Interior of the Sudan, the United States Special Envoy for the Sudan and several ambassadors in Abyei town as the decision was announced.

40. With insecurity increasing in Jonglei and Upper Nile States, UNMIS worked in close collaboration with the Government of Southern Sudan and the state governments to implement the Jonglei Stabilization Plan with a view to enhancing civilian protection activities in the region. As part of this approach, UNMIS established two temporary operating bases at Akobo and Pibor (Jonglei State) from 13 May to 24 July 2009, and discussions are ongoing regarding the possible use of additional temporary operating bases in the region. To address the problem of accessibility in areas without roads, numerous patrols have been launched by boat from Nassir, along the Sobat corridor. Additionally, UNMIS supported the efforts of the Southern Sudan Peace Commission to begin the peacebuilding process in Jonglei State with tentative plans for a forthcoming Lou Nuer-Murle peace conference.

41. UNMIS is supporting a reconciliation initiative between the Shilluk and the Dinka in Upper Nile State, including work with the Southern Sudan Peace Commission to implement a two-track approach: grass-roots peace initiatives and Juba-based reconciliation meetings with politicians and community leaders. UNMIS is also working closely with the 10 Southern states and the Government of Southern Sudan Bureau of Community Security and Small Arms Control to monitor civilian disarmament initiatives in an effort to avert a disarmament campaign that could exacerbate insecurity in Southern Sudan.

#### **Military deployment and activities**

42. As at 22 September 2009, 9,275 of the authorized 10,000 UNMIS military personnel were deployed in the Sudan, including 483 military observers, 193 staff officers and 8,599 troops. Regular operations continued throughout the reporting period, including the provision of support to the Comprehensive Peace Agreement ceasefire mechanisms and joint patrols of military observers and the parties' national monitors. The military component has begun working with the Electoral Assistance Division to develop an elections security assessment and to determine the military's support requirements.

43. In July 2009, Operation Guardian was launched, which involved the redeployment of additional United Nations forces from Sectors II and III into Abyei to provide a strong United Nations presence during the period prior to and after the Permanent Court of Arbitration announcement. Those forces are currently in Abyei and they will redeploy to their original sites as additional troops are brought into the area in the coming months.

#### **Police**

44. As at 15 September 2009, UNMIS had deployed 93 per cent of its mandated police strength of 715 (666 police advisers, including 82 women) to 22 sites throughout the Mission area.

45. UNMIS police continued to train local police, in particular through the successful implementation of the UNMIS Police Training Package 2009-2010. During the reporting period, 2,236 police officers, including 317 women, were trained in effective police work, including in programmes in Kassala, El Obeid and Port Sudan. Training relating to gender and child protection, human rights and community policing has resulted in the improved performance of the Sudanese police in handling public complaints and in assisting vulnerable persons and juveniles. However, the absence of a clearly defined training policy or commitment to the training programme by the Southern Sudan Police Service and the Government of the Sudan police continues to pose challenges to an effective police presence in the region.

46. In order to assist the Southern Sudan Police Service in creating a climate of optimum resource utilization, better financial management and accountability, the United Nations police conducted the second phase of asset management training. The United Nations police also participated in the UNMIS Jonglei stabilization and conflict-mitigation measures through the deployment of police advisers in Pibor and Akobo.

47. Community policing training was extended to the Dar es Salaam, Wad al-Bashir and Jebel Aulia camps in Khartoum to bridge the gap between the internally displaced person community and the police and to promote security and safety in communities of internally displaced persons.

48. During the reporting period, the United Nations police developed and commenced election security training and support as approved by the Government of the Sudan police and the Southern Sudan Police Service. More than 160 United Nations police master trainers, UNAMID police trainers and five Language Assistants were trained in election security duties. Thus far, the Government has not formalized a request for 100 additional police officers to assist during the elections. As I stated in my report on elections (S/2009/391), it will be important for the Government of National Unity and the National Elections Commission to finalize and approve the budget and operational plan for the electoral process as a matter of urgency.

#### **Disarmament, demobilization and reintegration**

49. The disarmament, demobilization and reintegration programme reached a key milestone on 9 August 2009 with the successful completion of the first demobilization exercise in Blue Nile State, during which 5,443 participants were demobilized. The fourth disarmament and demobilization operation was also launched on 5 August 2009 in Southern Kordofan. As at 31 August 2009, a total of 12,650 participants had been demobilized in the Sudan. All candidates received their reinsertion packages, including cash, non-food items and coupons for World Food Programme food rations for three months. The Northern and Southern Sudan Disarmament, Demobilization and Reintegration Commissions are currently examining the establishment of another joint disarmament, demobilization and reintegration office in Abyei with the assistance of the United Nations. Preparations for the reintegration of the demobilized persons in the Three Areas and Southern Sudan are ongoing.

#### **Return and reintegration**

50. With the onset of heavy rains in most areas of return and along principal return routes, internally displaced person and refugee returns continued at a reduced but steady rate. During the last quarter of 2009, a total of 8,142 spontaneous returnees have been tracked by the International Organization for Migration at a major transit hub in Kosti. The available estimates indicate that well over 1.9 million internally displaced persons have spontaneously returned to their places of origin since the signing of the Comprehensive Peace Agreement, particularly in the Three Areas and Southern Sudan. However, inter-ethnic violence in particular has contributed to further displacement and, in some cases, secondary displacement of returnees. Limited absorption capacities have also increased competition for available resources. The number of internally displaced persons whose return was organized under the joint plan stood at approximately 9,100 individuals for 2009 and at over 91,000 cumulatively since 2005.

51. The Office of the United Nations High Commissioner for Refugees (UNHCR) reported that a total of 171,154 refugees had been repatriated through programmes organized and assisted by the Office, of whom 31,789 had arrived since the beginning of 2009. With the comparable number of spontaneous movements from

the neighbouring countries, the total for all refugee returns since the signing of the Comprehensive Peace Agreement reached 327,984. Taking into account cumulative movements of internally displaced persons, including large-scale spontaneous returns, it was estimated that more than 2.4 million Sudanese (including spontaneous and organized returns) had reached their home areas in Northern and Southern Sudan by the end of July 2009.

### **Recovery and development**

52. In Southern Sudan, the humanitarian situation has deteriorated sharply and inter-tribal violence and attacks by LRA have resulted in the displacement of approximately 250,000 people, including 25,000 refugees who have fled the Democratic Republic of the Congo and the Central African Republic since January 2009. The situation faced by communities affected by inter-tribal fighting in Upper Nile, Eastern Equatoria, Warrap, Jonglei and Northern Bahr El Ghazal has been further aggravated by high cereal and low livestock prices and poor rainfall during the rainy season. Consequently, as many as 1.5 million people are facing severe food insecurity between August and December 2009 and malnutrition rates are rising in some of the most vulnerable areas.

53. The current budgetary crisis in Southern Sudan, the result of falling oil prices and revenues and the global economic downturn, continues to hamper the anticipated transition from humanitarian to early-recovery programming. While United Nations agencies and partners continue to proactively respond to the evolving context — which includes working closely with the Government of Southern Sudan to develop a fiscal package in response to the budget crisis — the emergence of critical gaps in the provision of essential services remains a significant risk. United Nations agencies, together with non-governmental organization partners, have scaled up their operations in support of efforts by local authorities to stabilize the situation in affected areas. As part of this effort, United Nations agencies issued an emergency action plan to address the food gap, requiring an additional total amount of \$57,155,456. The United Nations country team is actively involved in mobilizing voluntary contributions to support efforts by local authorities to stabilize the situation in affected areas.

### **Human rights**

54. On 20 August 2009, UNMIS and the Advisory Council for Human Rights of the Government of the Sudan co-chaired the third meeting of the Human Rights Forum in Khartoum. The Advisory Council presented its position on the pending appointment by the United Nations Human Rights Council of an independent expert on the situation of human rights in the Sudan. The appointment of commissioners to serve on the new National Human Rights Commission in Northern Sudan was also discussed. UNMIS emphasized that candidates must be selected in a transparent, inclusive and participatory manner. Concerns about lack of progress on other serious human rights issues, including the status of persons detained following the JEM attacks, harassment of human rights defenders and lack of access to prisons in Northern Sudan, were also raised.

55. The Press and Printed Materials Act came into force in Northern Sudan in July 2009. Despite the improvements made during the drafting process, and a 16 September announcement by President Al-Bashir that equal space be allocated to

the media institutions of all political parties, concerns remain about serious restrictions on freedom of expression and the powers of the supervisory body, especially given the upcoming elections. New media laws for Southern Sudan are still pending approval by the National Legislature.

56. In addition, the large-scale loss of civilian life in parts of Southern Sudan and the Three Areas, discussed earlier in the present report (see sect. III above), has been exacerbated by the lack of mechanisms at the local and State levels to address killings and other crimes.

57. Regarding the trial of former UNMIS staff member, Lubna Hussein, on 7 September 2009 the Northern Khartoum Criminal Court found Ms. Hussein guilty of "immoral or indecent dress" and imposed a fine of approximately \$250.

#### **Rule of law**

58. The National Assembly was in recess for the duration of the reporting period. UNMIS continues to monitor and support the legislative reform process, including through a comprehensive legislative tracking report, which will be updated regularly. Support for the drafting of the Referendum Bill is continuing to be provided through consultations with the members of the National Constitutional Review Commission.

59. As part of its assistance aimed at ensuring free, fair and credible elections, UNMIS conducted a workshop on the monitoring mechanisms of the National Elections Act 2008 for judges, prosecutors and police professionals. Four more election workshops are planned for 2009 on voter registration and judicial, civil society and security issues.

60. UNMIS provided advisory support to the Ministry of Legal Affairs and to the specialized committee of the Southern Sudan Legislative Assembly on the Southern Sudan Police Bill. The Police Bill was passed by the Southern Sudan Legislative Assembly at the beginning of October 2009. In addition, UNMIS and UNDP completed an analysis of rule-of-law institutions in Jonglei State as part of the Jonglei Stabilization Plan.

61. In addition to ongoing support to the prisons in Omdurman, Ed Damazin and Port Sudan, a new project for the detention facility in Abyei is due to start, including the construction of two extra wards for women and juveniles as well as police training. Training support and co-location of advisers continues in eight states in the South.

#### **Child protection**

62. More than 200 children who were abducted during incidents of inter-tribal violence in Jonglei State since January 2009 have not been returned to their families. In August 2009, local police for the first time arrested suspected child abductors in Jonglei State and rescued 12 children from captivity. The children are currently being housed by the Pibor County Commissioner pending family identification and reunification in the Sudan and Ethiopia.

63. Efforts are under way by UNMIS and the United Nations Children's Fund to secure the signing of an action plan by armed forces in the Sudan for the release and

reintegration of children associated with armed forces and groups, as required by Security Council resolution 1612 (2005).

64. Despite the ongoing military operations against LRA, the armed group continues to abduct children in Southern Sudan. While state authorities in Central and Western Equatoria have worked to prevent abductions, the cross-border transfer of children escaping from LRA remains a major challenge which will require substantial intergovernmental, inter-mission and inter-agency cooperation involving the Sudan, the Democratic Republic of the Congo, Uganda and the Central African Republic.

#### **Public information**

65. UNMIS organized regular press briefings primarily focused on the humanitarian and security situation in Southern Sudan. International and local media were briefed on the rising insecurity, UNMIS interventions and humanitarian response efforts. A special press briefing for both Khartoum- and Juba-based media was organized on UNMIS support for elections.

66. Despite the increasing need for a nationwide independent broadcast media outlet, in particular in the lead-up to elections, United Nations-sponsored Radio Miraya has yet to be assigned an FM frequency in Northern Sudan. The UNMIS Public Information Office outreach unit launched a peace culture education programme in collaboration with the Ministry of Education, Khartoum State, in July 2009, involving a series of activities centred around elections, civic education and Comprehensive Peace Agreement-related activities for senior school students. During the month of August 2009, the outreach unit conducted a three-day workshop on elections and the status of the implementation of the Comprehensive Peace Agreement for 125 government officials and civil society members in Kassala State.

67. UNMIS provided photographs and video footage to local and international media covering developments on Abyei and tribal conflicts in the South and carried out an information campaign in the Abyei area in collaboration with the Abyei Area Administration prior to the Permanent Court of Arbitration ruling.

#### **Mine action**

68. Since the beginning of its activities in the Sudan, UNMIS mine action teams have opened a total of 33,686 kilometres of road, cleared 54,170,814 square metres of land, destroyed 18,911 mines and 834,463 items of unexploded ordnance and provided mine-risk education to 2,832,710 people in affected areas and to internally displaced persons in camps and way stations.

69. With the rainy season limiting demining operations during the reporting period, the focus was on the recruitment and training of deminers and the prioritization of routes and areas to be cleared in the dry season, in collaboration with United Nations agencies, state governments, non-governmental organizations and UNMIS. During the reporting period two minefields at Al Lafa in Kassala State were demined; the site is to house 2,500 displaced persons who were affected by the conflict in the area. Mine action teams also completed a survey and clearance relating to a new access road for an official border crossing between the Sudan and Eritrea, as well as the clearance of minefields in Central Equatoria State.

## **Conduct and discipline**

70. Compliance by all categories of personnel with the United Nations code of conduct and zero tolerance policy on sexual exploitation and abuse remains very high. Three incidents of serious misconduct were reported during the period under review.

71. In partnership with national counterparts from the Ministries of Gender and Social Development in the South and non-governmental organizations, UNMIS organized two outreach campaigns in Southern Sudan, which were attended by more than 600 people. The campaign aimed to raise the awareness of local leaders, women, youth and civil society organizations regarding issues of sexual exploitation and abuse.

## **Gender**

72. During the reporting period, an UNMIS-chaired coordination mechanism was established to coordinate activities in the area of women's participation in elections. The group includes representatives from the United Nations country team and UNAMID. UNMIS continued to provide technical support to ministries of the Government of National Unity and the Government of Southern Sudan, as well as at the state level, on the promotion of gender equality, gender mainstreaming and the mitigation of gender-based violence in the context of Security Council resolutions 1325 (2000) and 1820 (2008). UNMIS also provided technical assistance to the Unit for Combating Violence against Women of the Sudanese Ministry of Justice in preparing the draft National Action Plan on Violence against Women for the northern states of the Sudan.

## **HIV/AIDS**

73. UNMIS continues to support the integration of HIV/AIDS awareness in the disarmament, demobilization and reintegration programme and has provided HIV/AIDS sensitization for over 1,250 United Nations peacekeepers. During the reporting period, HIV/AIDS regional committees provided HIV/AIDS awareness courses to 527 national participants, including police, schools, women and local communities.

## **Staff security**

74. A principal focus of UNMIS during the reporting period was to support contingency planning in anticipation of the announcement by the Permanent Court of Arbitration on Abyei. An integrated security contingency plan was developed in preparation for the announcement in conjunction with that of the United Nations police and military, and additional security officers were deployed to the area to support United Nations agencies and international non-governmental organizations.

75. UNMIS also carried out electoral security assessment missions throughout the northern and eastern states of Sudan, including many areas with only limited or no United Nations presence to date. The findings of those missions will be used in support of the deployment of election teams to assist local authorities with preparations for the 2010 elections.

## VII. Financial aspects

76. The General Assembly, by its resolution 63/273 B, appropriated for the maintenance of UNMIS for the period from 1 July 2009 to 30 June 2010, an amount of \$958.4 million. Should the Security Council decide to extend the mandate of UNMIS beyond 30 April 2010, the cost of maintaining the Mission until 30 June 2010 would be limited to the amounts approved by the General Assembly. As at 31 August 2009, unpaid assessed contributions to the Special Account for UNMIS amounted to \$397.9 million. The total outstanding assessed contributions for all peacekeeping operations as at that date amounted to \$3,741.3 million. Reimbursement of troop-contributing Governments for troop- and contingent-owned equipment costs has been made for the periods up to 31 December 2008 and 30 September 2008, respectively.

## VIII. Observations

77. While some progress has been made on the implementation of the Comprehensive Peace Agreement, important benchmarks have not been reached. The key outstanding issues — most notably elections and the referendums — are highly sensitive and will have the greatest impact on Sudanese political life. Resolving those issues will require deep commitment and extraordinary efforts by the parties. In this regard, I am concerned about the quality of the dialogue between the two parties. The key to the implementation of the Comprehensive Peace Agreement remains the relationship between NCP and SPLM, and the Agreement must be implemented in spirit as well as according to the letter if the immense work undertaken is to be sustainable. I encourage the parties to strengthen their partnership and work in good faith to overcome the final obstacles.

78. I welcome the renewed international attention focused on the Comprehensive Peace Agreement, which remains the cornerstone of peace, stability and democratic transformation in the Sudan. I encourage members of the international community to intensify their engagement with the parties and other key stakeholders in the crucial time remaining. I also encourage the international community to approach the Sudan as a whole and to take into consideration the link between progress on the implementation of the Comprehensive Peace Agreement and the Darfur peace process.

79. I welcome the involvement of the Special Envoys in the task of the implementation of the Comprehensive Peace Agreement and the progress made in the tripartite mechanism involving the United States, NCP and SPLM. I also welcome the parties' commitments on a variety of issues and the momentum that the new initiative has created. Significant effort is needed from the parties if they are to meet their renewed commitments and the tight deadlines that have been agreed upon.

80. I congratulate the parties on the successful completion of the Abyei arbitration process, and welcome their commitment to cooperate on the peaceful implementation of the decision. I also note the engagement of UNMIS, the United Nations country team in the Sudan and the international community with the people of Abyei, helping to prevent violence from occurring in response to the decision. The potential for serious conflict in Abyei remains, however, and continued stability

will require the parties to address a wide range of imminent challenges, including the demarcation of the Abyei Area; the formation of the Abyei Referendum Commission; the funding of the Abyei Area Administration; the realization of peace dividends; and the sustainable return of the displaced population. In this regard, the upcoming seasonal migration will be the first test. The parties must work towards eliminating any prospects of conflict to assure the local communities on both sides that borders do not have to be barriers and that peaceful coexistence is possible irrespective of the result of the Abyei referendum in 2011.

81. I am concerned that, in their current state of deployment, the Joint Integrated Units cannot fulfil their functions as foreseen in the Comprehensive Peace Agreement, in particular with respect to neutrality, security and acting as a symbol of unity. On the contrary, the Joint Integrated Units have sometimes themselves been the source of conflict, as highlighted by the previous violent clashes between the two components in Abyei and Malakal. While one cause of the problem is underlying grievances in the communities where the Joint Integrated Units are deployed, inadequate living and training conditions have led to heightened tensions and a higher risk of further clashes. In addition to the work already being done by UNMIS and the donor community to alleviate some of those shortcomings and improve the dialogue on cooperation within the Joint Integrated Units, additional support from the international community and a firm commitment by NCP and the Government of Southern Sudan to bring the Joint Integrated Units up to the necessary standards is urgently needed.

82. Elections in the Sudan are a crucial benchmark in the implementation of the Comprehensive Peace Agreement. I stress that elections in the Sudan must be seen as part of a larger process of democratic transformation and therefore require a long-term commitment from all stakeholders. I am concerned that the ongoing dispute over the use of the census results threatens the success of the electoral process, and I urge the parties to come to a resolution on those issues through an exercise of political will.

83. Coming to an agreement on how to proceed with elections will also allow the parties to give the requisite attention to preparations for the referendums in 2011. These elections, first and foremost, must be credible in the eyes of the Sudanese people. In this context, concerted efforts must be made to ensure the meaningful participation of all groups in the Sudan, especially internally displaced persons and the populations in Darfur and Eastern and Southern Sudan. The challenges in this regard are primarily political — although technical and security-related matters must also be addressed — and I urge the parties to take concrete steps at the political level to guarantee a credible electoral process and an accepted outcome.

84. I am increasingly concerned about the delays in preparations for the referendums in Southern Sudan and Abyei. The timeline of the referendums, and thus their quality and credibility, is at stake. I urge the parties to pass the required referendum bills. Furthermore, long-term peace and stability will not be possible without an agreement on the post-referendum arrangements. I urge the parties to engage in substantive discussions in this regard, irrespective of the outcome of the referendums in 2011.

85. Similarly, in order to continue supporting the work of the assessment and evaluation commissions in Southern Kordofan and Blue Nile States, progress must now be made on the popular consultation process and the outcomes must be

addressed in accordance with the Comprehensive Peace Agreement. This opportunity must not be missed.

86. The apparent targeting of unarmed civilians during the series of tribal attacks and counter-attacks this year is of grave concern, as are the reports of widespread proliferation of arms in Southern Sudan. I call upon the Government of Southern Sudan to strengthen its efforts to end recurring violence and to bring those responsible to justice. In addition, I call on the groups involved to find peaceful means of settling grievances. UNMIS has been working closely with the humanitarian community to address increased humanitarian needs and to facilitate dialogue with and between the opposing sides. The Mission remains ready to provide ongoing support within its mandate and capabilities. As members of the international community, we must continue to assist the Government of Southern Sudan to stabilize the humanitarian situation and build its capacity to manage conflict and provide stability in the region. Further, the urgent delivery of human, material and financial resources for relief operations, in particular food, is essential to ensure that malnutrition rates and related diseases do not increase the suffering of the already vulnerable displaced people. A humanitarian crisis, as a result of growing insecurity, risks undermining the implementation of the Comprehensive Peace Agreement and reversing gains achieved in the South.

87. I remain concerned about the outstanding issues impeding the work of the Border Commission. The lack of resolution on these issues carries wide-ranging ramifications for the implementation of the Comprehensive Peace Agreement — most notably for elections and the referendums. I urge the parties to expedite this process in view of the implications for other crucial Comprehensive Peace Agreement benchmarks.

88. Despite the significant progress in disarmament, demobilization and reintegration, the United Nations faces a significant funding shortfall for the reintegration of the first caseload of 64,000 participants. Furthermore, the Northern and Southern Sudan Disarmament, Demobilization and Reintegration Commissions are struggling to meet their daily operational costs, which has the potential to slow down implementation on the ground. I appeal to the international community and the parties to ensure adequate funding for all components of the disarmament, demobilization and reintegration programme.

89. The coming 18 months will pose enormous challenges for the people of the Sudan, and how those challenges are met will largely determine the future of the country. The elections and the referendums are exceptionally difficult processes that will test the capacity of all stakeholders, and there is a significant risk that they could lead to further instability in the Sudan. But this moment is also an opportunity for the democratic transformation of the Sudan and, if the parties are able to overcome the current obstacles, the people of the Sudan can take a critical step towards the realization of political equality, economic development and human rights. Every effort is being made to ensure the success of the Comprehensive Peace Agreement going forward, but there are singular shortcomings that can be addressed only through substantial dialogue between the parties. I urge the Council, the international community and the stakeholders in the future of the Sudan to dedicate all of our efforts to ensuring that the Comprehensive Peace Agreement moves forward in a peaceful and sustainable manner.

90. Finally, I wish to express my gratitude to my Special Representative, Ashraf Jehangir Qazi, all United Nations staff working in the Sudan and Member States, especially troop- and police-contributing countries and donors, for their determined efforts to support UNMIS and the implementation of the Comprehensive Peace Agreement.

## Annex I

### Revised benchmarks and indicators of progress for the period 2009-2011

The United Nations Mission in the Sudan (UNMIS) is mandated by the Security Council to assist and support, through its good offices, the parties to the Comprehensive Peace Agreement in the peaceful implementation of the Agreement. Implementation of its mandate is thus linked to the commitment of the parties to the Comprehensive Peace Agreement process and their progress achieved in implementing its provisions. Key benchmarks towards the implementation of the Comprehensive Peace Agreement, including benchmarks that have been met since the signing of the Agreement, are identified below.

#### I. Ensuring security and stability

**Benchmark:** a secure environment in the Sudan facilitated by downsized armed elements, mechanisms to address inter-tribal conflict, redeployment of North-South forces, fully operational Joint Integrated Units and functional disarmament, demobilization and reintegration processes

Requirements for progress would include serious commitment by all parties to cease hostilities, increased access to remote areas subject to inter-tribal conflict and strong international assistance to increase Government of Southern Sudan capacities to manage conflict

| <i>Year</i>                      | <i>Indicators of progress</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|----------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>2005-present</b>              | <ul style="list-style-type: none"> <li>• Ceasefire in place, supported by establishment of Ceasefire Political Commission, Ceasefire Joint Monitoring Commission, and Area Joint Military Committees (April-August 2005)</li> <li>• 100 per cent redeployment of the Sudan People's Liberation Army (SPLA) from Eastern Sudan to the South (April 2006)</li> <li>• Other armed groups officially disbanded (March 2006)</li> <li>• National Disarmament, Demobilization and Reintegration Coordination Council established, supported by Northern and Southern Sudan Disarmament, Demobilization and Reintegration Commissions (February-June 2006)</li> <li>• Agreement by parties on roles of Northern and Southern Disarmament, Demobilization and Reintegration Commissions, respectively (February 2009)</li> <li>• Joint signature of multi-year disarmament, demobilization and reintegration project document by the Government of National Unity, the Sudan People's Liberation Movement (SPLM) and the United Nations (June 2008)</li> </ul> |
| <b>October 2009-October 2010</b> | <ul style="list-style-type: none"> <li>• Parties agree and adopt policies on proportional downsizing</li> <li>• Increased redeployment of North/South forces (SPLA at 27.6 per cent August 2009)</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

- Agreement between the National Congress Party (NCP) and SPLM on redeployment figures
- Increased integration of Joint Integrated Units
- Approval by the Presidency and Joint Defence Board on measures to address Joint Integrated Unit shortcomings and deploy them as stipulated in the Comprehensive Peace Agreement
- Implementation of UNMIS protection of civilians strategy (concept signed in August 2009)
- United Nations monitoring and verification without denial of access
- Strengthened Government of Southern Sudan institutions and policies to ensure protection of civilians
- First disarmament, demobilization and reintegration caseload processed by June 2010
- Increased disarmament, demobilization and reintegration processes in all parts of Southern Sudan

## II. Elections

**Benchmark:** free, fair and credible elections are held in the Sudan in accordance with the timeline set by the Comprehensive Peace Agreement

Requirements for progress would include substantial improvements in the election preparations by the National Electoral Commission, legislative changes to ensure freedom of press and assembly, resolution of outstanding registration issues and a security environment conducive to elections

| <i>Year</i>                    | <i>Indicators of progress</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|--------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>2007-present</b>            | <ul style="list-style-type: none"> <li>• Adoption of Political Parties Act (February 2007)</li> <li>• Adoption of National Elections Act (July 2008)</li> <li>• Establishment of National Electoral Commission (November 2008)</li> <li>• Completion of population census (May 2008)</li> <li>• Constituency delimitation (August 2009)</li> </ul>                                                                                                                                                                                                          |
| <b>October 2009-April 2010</b> | <ul style="list-style-type: none"> <li>• Agreement on use of census results in the election</li> <li>• National Electoral Commission fully operational in the Sudan</li> <li>• Voter registration conducted within timeline</li> <li>• Electoral plan and budget approved with time to allow donor assistance</li> <li>• Polling preparations completed</li> <li>• Secure environment during conduct of elections to ensure political space</li> <li>• Election preparations meet conditions laid out in Secretary-General's report (S/2009/391)</li> </ul> |

### III. Referendums

**Benchmark:** referendums are conducted within the timeline of the Comprehensive Peace Agreement, following substantive agreement by NCP and SPLM on post-referendum arrangements, regardless of the result, and take place in a secure, stable environment

Requirements for progress would include increased trust and confidence between NCP and SPLM, dialogue on post-referendum arrangements, and substantial support from the international community and regional partners to facilitate the referendums

| <i>Year</i>                      | <i>Indicators of progress</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>September 2009</b>            | <ul style="list-style-type: none"> <li>• Referendum law under consideration by the parties</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>October 2009-January 2011</b> | <ul style="list-style-type: none"> <li>• Agreement and passage of Referendum law by end 2009</li> <li>• Referendum Acts adopted by the National Assembly by end 2009</li> <li>• Southern Sudan and Abyei referendum commissions established by end 2009</li> <li>• Post-referendum arrangements are finalized between NCP and SPLM</li> <li>• Referendums in Southern Sudan and Abyei are held in accordance with Comprehensive Peace Agreement provisions by January 2011</li> </ul> |

### IV. Implementation of Comprehensive Peace Agreement Protocols

**Benchmark:** full implementation of the Protocol on the Three Areas, the Abyei Protocol and the Protocol on Southern Kordofan and Blue Nile, as well as completion of the North-South border demarcation

Requirements for progress would include sustained political will on the part of the National Congress Party and the Southern People's Liberation Movement to implement the Protocols, increased stability in the region, agreement on power-sharing modalities following the 2010 elections

| <i>Year</i>         | <i>Indicators of progress</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|---------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>2005-present</b> | <ul style="list-style-type: none"> <li>• Establishment of the Presidency of the Government of National Unity, Council of States, National Assembly, Government of Southern Sudan, Southern Sudan Council of Ministers and the Assessment and Evaluation Commission (2005)</li> <li>• State Assemblies established in Southern Kordofan and Blue Nile (December 2005)</li> <li>• State governments established according to Comprehensive Peace Agreement Protocols in Blue Nile (December 2005) and Southern Kordofan (March 2006)</li> <li>• Assessment and Evaluation Commission established in Southern Kordofan and Blue Nile (July 2007)</li> </ul> |

|                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|---------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                       | <ul style="list-style-type: none"> <li>• Establishment of National Civil Service Commission (July 2007)</li> <li>• Interim Abyei area administration established (October 2008)</li> <li>• Abyei Council established (October 2008)</li> <li>• Abyei Demarcation Committee established (August 2009)</li> <li>• Permanent Court of Arbitration award on Abyei accepted by parties (August 2009)</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>October 2009-<br/>October 2010</b> | <ul style="list-style-type: none"> <li>• Agreement by parties on timeline for implementation of Protocol in the Three Areas</li> <li>• National civil service posts filled in the Three Areas</li> <li>• Integrated civil service operations commence in the Three Areas in accordance with the Comprehensive Peace Agreement timeline</li> <li>• Integration of former closed areas in Southern Kordofan and Blue Nile</li> <li>• Popular consultations in Southern Kordofan and Blue Nile, in accordance with the Comprehensive Peace Agreement</li> <li>• Peaceful implementation of Permanent Court of Arbitration ruling on Abyei</li> <li>• Provision of adequate budget for Abyei Administration</li> <li>• Functional Abyei Administration provides services to local population</li> <li>• Security and conflict-mitigation measures in place in the Three Areas, Southern Kordofan, Blue Nile and Abyei</li> <li>• Fully functional Technical Border Committee and submission of report on border demarcation submitted to the Presidency</li> <li>• Physical demarcation of North-South border completed</li> </ul> |

## V. Wealth-sharing

**Benchmark:** full implementation of the wealth-sharing provisions of the Comprehensive Peace Agreement

Requirements for progress would include sustained political will on the part of NCP and SPLM to implement the wealth-sharing protocols

| <i>Year</i>         | <i>Indicators of progress</i>                                                                                                                                                                                                                                                                           |
|---------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>2005-present</b> | <ul style="list-style-type: none"> <li>• National Petroleum Commission established (October 2005)</li> <li>• Joint Technical Committee for Monitoring, Calculating and Sharing of Oil Revenue established (February 2006)</li> <li>• Southern Sudan Land Commission established (April 2006)</li> </ul> |

|                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|---------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>October 2009-<br/>October 2010</b> | <ul style="list-style-type: none"> <li>• Signature of Abyei Road Map (June 2008)</li> <li>• National Land Commission Law (April 2009)</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|                                       | <ul style="list-style-type: none"> <li>• Continued transfer of 50 per cent of oil revenues to the Government of Southern Sudan (ongoing since January 2005)</li> <li>• Ongoing disbursement and retrieval of funds to Southern Kordofan and Warrab States, and transfer of oil revenue shares for Dinka Ngok and Misseriya, in accordance with the Comprehensive Peace Agreement</li> <li>• Implementation of agreements on sharing of non-oil revenue</li> <li>• Full funding of Abyei Administration</li> <li>• Establishment of National Land Commission</li> <li>• Agreement between SPLM and NCP on modalities for revenue-sharing post-referendum</li> </ul> |

## VI. Humanitarian recovery and development

**Benchmark:** prevention of further decline in living conditions in Southern Sudan, delivery of basic services to vulnerable populations, tangible improvements in the standard of living and the conditions for economic recovery and development

Requirements for progress would include dramatic increase in the capacity of the Government of Southern Sudan to deliver basic services and manage violence, commitment by the stakeholders to prevent further conflicts and coordinated financial support by the donor community

| <i>Year</i>         | <i>Indicators of progress</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|---------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>2005-present</b> | <ul style="list-style-type: none"> <li>• National Reconstruction and Development Fund established (April 2005)</li> <li>• Establish High-level Government of National Unity Committee on internally displaced person returns (July 2007)</li> <li>• Approximately 2 million displaced Sudanese returned to their homes since signing of the Comprehensive Peace Agreement</li> </ul>                                                                                                                                                                                                                                      |
| <b>2009-2011</b>    | <ul style="list-style-type: none"> <li>• Continued funding of the National Reconstruction and Development Fund</li> <li>• Implementation of ongoing infrastructure projects</li> <li>• Increase in the number of displaced Sudanese returning to their homes in a voluntary, sustainable manner</li> <li>• Complete implementation of state-level action plans for the return and reintegration of displaced refugees by end of 2010</li> <li>• Access for the Government of Southern Sudan, international non-governmental organizations and UNMIS to populations in need of relief, recovery and development</li> </ul> |

- Development and implementation of an integrated Mission/United Nations country team strategy for stabilization of high-risk states by end 2012

## VII. Human rights and rule of law

**Benchmark:** establishment of a credible police, judicial and penal system that respects and upholds basic human rights

Requirements for progress would include prioritization by the parties to the Comprehensive Peace Agreement to improve the judicial and penal systems, strong international support for the establishment and development of rule of law institutions and provision of funds by the international community

| <i>Year</i>         | <i>Indicators of progress</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|---------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>2005-present</b> | <ul style="list-style-type: none"> <li>• National Constitutional Review Commission established (July 2005)</li> <li>• Adoption of Interim National Constitution (July 2005)</li> <li>• Adoption of interim Southern Sudan Constitution (December 2005)</li> <li>• National Judicial Service Commission established (December 2005)</li> <li>• Special Commission for the Protection of the Rights of Non-Muslims in the National Capital established (August 2006)</li> <li>• Southern Sudan Police Bill passed (October 2009)</li> </ul>                                                                                                                                                                                                                                                                                                                                                                              |
| <b>2009-2011</b>    | <ul style="list-style-type: none"> <li>• Implementation of Human Rights Commission Law by the National Assembly (passed April 2009)</li> <li>• Implementation of Press and Printed Materials Act, and Criminal Procedures Amendment and Act by the National Assembly (adopted May 2009)</li> <li>• Implementation of the Police Act and Armed Forces Act by National Assembly</li> <li>• Implementation by the Southern Sudan Legislative Assembly of the following laws: Criminal Code and Criminal Procedures Acts; Code of Civil Procedures Acts; Child Act; Code of Evidence Act; Judiciary Act; SPLA Act; Local Government Act; Government of Southern Sudan Anti-Corruption Act; Southern Sudan Human Rights Commission Act</li> <li>• Functional Human Rights Commission</li> <li>• Passage of National Security Act by Sudanese Parliament</li> <li>• Passage of Prisons Act by Sudanese Parliament</li> </ul> |

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